



OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of	:	
POIROT-CROUVEZIER	:	
U.S. Application No.: 10/528,587	:	DECISION ON PETITION
PCT No.: PCT/FR03/02881	:	
Int. Filing Date: 01 October 2003	:	UNDER 37 CFR 1.181
Priority Date: 11 October 2002	:	
Attorney Docket No.: 123210	:	
For: ELECTRONIC POWER SOURCE COMPRISING	:	
A FUEL CELL WITHOUT DISCHARGE OF	:	
MATTER TO THE OUTSIDE AND CONTROL	:	
PROCESS OF SUCH A POWER SOURCE	:	

This decision is in response to applicant's status letter inquiry filed 22 December 2009 in the United States Patent and Trademark Office (USPTO) regarding previously filed requests for a corrected filing receipt including a response to decision filed 06 October 2008. For the reasons discussed below the matter is being treated as a renewed petition under 37 CFR 1.181. No petition fee is required.

BACKGROUND

On 06 August 2008, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.181 as to the completion date of the 35 U.S.C. 371 requirements. Applicant was afforded two months to file any request for reconsideration.

On 06 October 2008, applicant filed the response discussed herein.

DISCUSSION

Applicant is seeking a corrected 371 date of 26 May 2005. The declaration in the application file is stamped with a USPTO date stamp of "21 MAR 2005." The best evidence of what was actually received by the Office is a postcard receipt containing a specific itemization of all the items being submitted. (See MPEP 503.) Here, applicant has provided a return postcard receipt which is stamped "OIPE MAY 26 2005 Patent & Trademark Office JC98." Among the items listed is "Dec." Thus, it is clear that applicant did provide the executed declaration on 26 May 2005, not 21 March 2005. In addition, a review of the declaration finds that it was executed on 18 May 2005. As such, it is proper to grant the petition under 37 CFR 1.181 to consider the declaration in this case filed on 26 May 2005.

CONCLUSION

For the reasons detailed above, applicant's renewed petition under 37 CFR 1.181 is **GRANTED**.

This application is being returned to the Office of PCT Operations, National Stage Processing for the issuance of a new "Notice of Acceptance" (Form PCT/DO/EO/903) and official filing receipt showing a date of receipt of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) requirements and date of completion of all 35 U.S.C. 371 requirements as **26 May 2005**.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294